

Att. No. 016906/0206

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**APPARATUS FOR ACTUATING A CONTROL ELEMENT FOR A HEATING OR AIR-  
CONDITIONING SYSTEM IN A MOTOR VEHICLE**

(Attorney Docket No. 016906/0206)

the specification of which (check one)

  X   is attached hereto.

       was filed on        as United States Application Number or PCT  
International Application Number        and was amended on         
(if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.



Art. No. 016906/0206

JOHN P. ISACSON	Reg. No. 33,715
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSIN	Reg. No. 25,735
JOHNNY A. KUMAR	Reg. No. 34,849
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 26,001
BRIAN J. MC NAMARA	Reg. No. 32,789
SYBIL MELOY	Reg. No. 22,749
RICHARD C. PEET	Reg. No. 35,792
GEORGE E. QUILLIN	Reg. No. 32,792
BERNHARD D. SAXE	Reg. No. 28,885
CHARLES F. SCHILL	Reg. No. 27,590
RICHARD L. SCHWAAB	Reg. No. 25,479
HAROLD C. WEGNER	Reg. No. 25,258

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard L. Schwaab  
**FOLEY & LARDNER**  
 Washington Harbor  
 P.O. Box 25696  
 3000 K Street, N.W., Suite 500  
 Washington, D.C. 20007-8696

Telephone: (202) 672-5300  
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Ralf MARTIN
Residence	Benningen, Federal Republic of Germany
Citizenship	Federal Republic of Germany
Post Office Address	Am Roemergraben 3 D-71726 Benningen Federal Republic of Germany
Inventor's signature	<i>R. Martin</i>
Date	11/03/00

09704791-110300

Att. No. 016906/0206

Name of second inventor

**Klaus WAIBEL**

**Residence**

**Kornwestheim, Federal Republic of Germany**

## Citizenship

**Federal Republic of Germany**

**Post Office Address**

## Dinkelgarbe 17

**D-70806 Kornwestheim**

**Federal Republic of Germany**

**Inventor's signature**

Date \_\_\_\_\_

11/03/00

Page 4 of 4

**Declaration and Power of Attorney For Patent Application  
Erklärung Für Patentanmeldungen Mit Vollmacht  
German Language Declaration**

Als nachstehend benannter Erfinder erkläre ich hiermit an  
Eides Statt:

**As a below named inventor, I hereby declare that:**

dass mein Wohnsitz, meine Postanschrift, und meine Staatsangehörigkeit den im Nachstehenden nach meinem Namen aufgeführten Angaben entsprechen,

My residence, post office address and citizenship are as stated below next to my name,

dass ich, nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent beantragt wird für die Erfindung mit dem Titel;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**APPARATUS FOR ACTUATING A CONTROL  
ELEMENT FOR A HEATING OR AIR-CONDITIONING  
SYSTEM IN A MOTOR VEHICLE,**

**APPARATUS FOR ACTUATING A CONTROL  
ELEMENT FOR A HEATING OR AIR-CONDITIONING  
SYSTEM IN A MOTOR VEHICLE,**

**deren Beschreibung**

the specification of which

(zutreffendes ankreuzen)

**(check one)**

☒ hier beigelegt ist.

☒ is attached hereto.

☐ am \_\_\_\_\_ unter der

☐ was filed on \_\_\_\_\_ at \_\_\_\_\_

Anmeldungsnummer \_\_\_\_\_

Application Serial No. \_\_\_\_\_

eingereicht wurde und am \_\_\_\_\_

and was amended on \_\_\_\_\_.

**abgeändert wurde (falls tatsächlich abgeändert).**

(if applicable)

Ich bestätige hiermit, dass ich den Inhalt der obigen Patentanmeldung einschliesslich der Ansprüche durchgesehen und verstanden habe, die eventuell durch einen Zusatzantrag wie oben erwähnt abgeändert wurde.

**I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.**

**Ich erkenne meine Pflicht zur Offenbarung irgendwelcher Informationen, die für die Prüfung der vorliegenden anmeldung in Einklang mit Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) von Wichtigkeit sind, an.**

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**Ich beanspruche hiermit ausländische Prioritätsvorteile gemäss Abschnitt 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 119 aller unten angegebenen Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde, und habe auch alle Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde nachstehend gekennzeichnet, die ein Anmeldedatum haben, das vor dem Anmeldedatum der Anmeldung liegt, für die Priorität beansprucht wird.**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for parent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Declaration and Power of Attorney For Patent Application**  
**Erklärung Für Patentanmeldungen Mit Vollmacht**  
**German Language Declaration**

**Prior foreign applications**  
**Priorität beansprucht**

**Priority Claimed**

199 52 898.5  
 (Number)  
 (Nummer)

FED. REP. OF GERMANY  
 (Country)  
 (Land)

3 NOVEMBER 1999  
 (Day/Month/Year Filed)  
 (Tag/Monat/Jahr eingereicht)

☒ ☐  
 Yes No  
 Ja Nein

\_\_\_\_\_  
 (Number)  
 (Nummer)

\_\_\_\_\_  
 (Country)  
 (Land)

\_\_\_\_\_  
 (Day/Month/Year Filed)  
 (Tag/Monat/Jahr eingereicht)

☐ ☐  
 Yes No  
 Ja Nein

\_\_\_\_\_  
 (Number)  
 (Nummer)

\_\_\_\_\_  
 (Country)  
 (Land)

\_\_\_\_\_  
 (Day/Month/Year Filed)  
 (Tag/Monat/Jahr eingereicht)

☐ ☐  
 Yes No  
 Ja Nein

Ich beanspruche hiermit gemäss Absatz 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 120, den Vorzug aller unten aufgeführten Anmeldungen und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in einer früheren amerikanischen Patentanmeldung laut dem ersten Paragraphen des Absatzes 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäss Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmeldedatum der früheren Anmeldung und dem nationalen oder PCT internationalen Anmeldedatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
 (Application Serial No.)  
 (Anmeldeseriennummer)

\_\_\_\_\_  
 (Filing Date)  
 (Anmeldedatum)

\_\_\_\_\_  
 (Status)  
 (patentiert, anhängig,  
 aufgegeben)

\_\_\_\_\_  
 (Status)  
 (patented, pending,  
 abandoned)

\_\_\_\_\_  
 (Application Serial No.)  
 (Anmeldeseriennummer)

\_\_\_\_\_  
 (Filing Date)  
 (Anmeldedatum)

\_\_\_\_\_  
 (Status)  
 (patentiert, anhängig,  
 aufgegeben)

\_\_\_\_\_  
 (Status)  
 (patented, pending,  
 abandoned)

Ich erkläre hiermit, dass alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und dass ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, dass wissentlich und vorsätzlich falsche Angaben gemäss Paragraph 1001, Absatz 18 der Zivilprozessordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden können, und dass derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

09704797-110300

**Declaration and Power of Attorney For Patent Application**  
**Erklärung Für Patentanmeldungen Mit Vollmacht**  
**German Language Declaration**

**VERTRETUNGSVOLLMACHT:** Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent- und Warenzeichenamt: (Name und Registrierungsnummer angeben)

Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Michael Kaminski, Reg. No. 32,094; Lyle Kimms, Reg. No. 34,079; Kenneth Krosin, Reg. No. 25,735; Johnny Kumar, Reg. No. 34,649; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Harold C. Wegner, Reg. No. 25,258.

Telefongesprache bitte richten an:

(Name und Telefonnummer)

Richard L. Schwaab 202-672-5300  
 Postanschrift: FOLEY & LARDNER  
 3000 K Street, N.W., Suite 500  
 P.O. Box 25696  
 Washington, D.C. 20007-8696

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Michael Kaminski, Reg. No. 32,094; Lyle Kimms, Reg. No. 34,079; Kenneth Krosin, Reg. No. 25,735; Johnny Kumar, Reg. No. 34,649; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Harold C. Wegner, Reg. No. 25,258.

Direct Telephone calls to:

(Name and telephone number)

Richard L. Schwaab 202-672-5300  
 Send Correspondence to: FOLEY & LARDNER  
 3000 K Street, N.W., Suite 500  
 P.O. Box 25696  
 Washington, D.C. 20007-8696

Voller Name des einzigen oder ursprünglichen Erfinders:	Full name of sole or first inventor:
<b>Ralf MARTIN</b>	<b>Ralf MARTIN</b>
Unterschrift des Erfinders <i>R. Martin</i>	Inventor's signature <i>R. Martin</i>
Datum 11/03/00	Date 11/03/00
Wohnsitz <b>Benningen, Federal Republic of Germany</b>	Residence <b>Benningen, Federal Republic of Germany</b>
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Citizenship <b>Federal Republic of Germany</b>
Postanschrift <b>Am Roemergraben 3, D-71726 Benningen Federal Republic of Germany</b>	Post Office Address <b>Am Roemergraben 3, D-71726 Benningen Federal Republic of Germany</b>
Voller Name des zweiten Mit-Erfinders (falls zutreffend)	Full name of second joint inventor, if any:
<b>Klaus WAIBEL</b>	<b>Klaus WAIBEL</b>
Unterschrift des Erfinders <i>Klaus Waibel</i>	Second inventor's signature <i>Klaus Waibel</i>
Datum 11/03/00	Date 11/03/00
Wohnsitz <b>Kornwestheim, Federal Republic of Germany</b>	Residence <b>Kornwestheim, Federal Republic of Germany</b>
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Citizenship <b>Federal Republic of Germany</b>
Postanschrift <b>Dinkelgarbe 17, D-70806 Kornwestheim Federal Republic of Germany</b>	Post Office Address <b>Dinkelgarbe 17, D-70806 Kornwestheim Federal Republic of Germany</b>